

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

MIMICS, INC., RICHARD WILDGRUBE  
and MARGARET WILDGRUBE,  
individually,

Plaintiffs,

vs.

CIV No. 99-00839 MV/ACT

THE VILLAGE OF ANGEL FIRE,  
CHARLES HASFORD, individually,  
MARY FRANCES McKINLEY,  
individually, and GARY STANSBURY,  
individually,

Defendants.

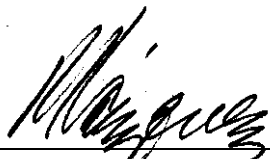
**MEMORANDUM OPINION AND ORDER**

**THIS MATTER** comes before the Court on Plaintiffs' Motion in Limine, filed February 5, 2001, [**Doc. No. 86**]. In their motion, Plaintiffs seek to exclude evidence from eight subject areas as irrelevant or unduly prejudicial. Since the filing of Plaintiffs' motion, months of additional discovery have taken place, Plaintiffs have filed an amended complaint, the Court has ruled on five motions for summary judgment and one partial motion to dismiss, and several of the Court's rulings have been appealed to the Tenth Circuit. Given all the events that have taken place in the four years since the filing of Plaintiffs' motion, some of which may have narrowed or clarified the evidentiary issues raised in Plaintiffs' motion, the Court will deny Plaintiffs' motion without prejudice and request that Plaintiffs file an updated motion.

**IT IS THEREFORE ORDERED** that Plaintiffs' Motion in Limine, filed February 5, 2001, [**Doc. No. 86**] is hereby **DENIED without prejudice**. Plaintiffs may submit an updated motion within 20 days of the date of this Order. Defendants' response and Plaintiffs' reply

are due in accordance with local rules.

Dated this 22nd day of March, 2005.

  
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MARTHA YAZQUEZ  
UNITED STATES DISTRICT JUDGE

Attorney for Plaintiffs:  
Michael Schwarz

Attorney for Defendants:  
James P. Sullivan  
Randy S. Bartell